

The second sentence of former Art. 27, § 277(l), which defined "distributor" as "a person who distributes", is deleted as unnecessary.

(M) DRUG.

(1) "DRUG" MEANS:

(I) A SUBSTANCE RECOGNIZED IN THE OFFICIAL UNITED STATES PHARMACOPOEIA, OFFICIAL HOMEOPATHIC PHARMACOPOEIA OF THE UNITED STATES, OR OFFICIAL NATIONAL FORMULARY;

(II) A SUBSTANCE INTENDED FOR USE IN THE DIAGNOSIS, CURE, MITIGATION, TREATMENT, OR PREVENTION OF DISEASE IN HUMANS OR OTHER ANIMALS;

(III) EXCEPT FOR FOOD, A SUBSTANCE INTENDED TO AFFECT THE STRUCTURE OR FUNCTION OF THE BODY OF HUMANS OR OTHER ANIMALS; OR

(IV) A SUBSTANCE INTENDED FOR USE AS A COMPONENT OF ANY SUBSTANCE SPECIFIED IN ITEM (I), (II), OR (III) OF THIS PARAGRAPH.

(2) "DRUG" DOES NOT INCLUDE A DEVICE OR AN ACCESSORY, PART, OR COMPONENT OF A DEVICE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 277(m).

In paragraph (1)(i) of this subsection, the former reference to a "supplement" to books that are the official United States Pharmacopoeia, the official Homeopathic Pharmacopoeia of the United States, or the official National Formulary is deleted as implicit in the references to those books. See Art. 1, § 21 (reference in statute or other law includes amendments).

In paragraph (1)(iv) of this subsection, the term "substance" is substituted for the former term "article" for consistency within this subsection.

(N) DRUG DEPENDENT PERSON.

"DRUG DEPENDENT PERSON" MEANS A PERSON WHO:

(1) IS USING A CONTROLLED DANGEROUS SUBSTANCE; AND

(2) IS IN A STATE OF PSYCHOLOGICAL OR PHYSICAL DEPENDENCE, OR BOTH, THAT:

(I) ARISES FROM ADMINISTRATION OF THAT CONTROLLED DANGEROUS SUBSTANCE ON A CONTINUOUS BASIS; AND

(II) IS CHARACTERIZED BY BEHAVIORAL AND OTHER RESPONSES THAT INCLUDE A STRONG COMPULSION TO TAKE THE SUBSTANCE ON A CONTINUOUS BASIS IN ORDER TO EXPERIENCE ITS PSYCHOLOGICAL EFFECTS OR TO AVOID THE DISCOMFORT OF ITS ABSENCE.